

Inheritance in Igbo contemporary society: Socio economic implications

Teerry U. Ezechukwu

Inheritance is the process of receiving or acquiring the property of a dead person. Every community and tribe has its peculiar system of inheritance. The scope of inheritance is very wide. It includes property and political inheritance like chieftaincy titles and positions of importance in the society. The study is limited to property inheritance. The manner people inherit property of their dead relatives in recent times has caused a lot of problems which many a time lead to violence, litigation and loss of life. The purpose of this study is to highlight the ways of inheritance in the olden days and how it is being practised today. Data for the study are collected from texts and interviews. It was discovered that in the olden days, people had an organized and accepted system of inheritance (though not written) with the result that they did not experience much problem and misunderstanding in sharing and acquiring the property of a dead relation. Today, the story is quite different. People struggle and quarrel over the property of their dead ones. It is discovered that greed and neglect for laid down rules of inheritance are not followed, some mischievous elders mislead the younger ones for some selfish benefits. Money seems to be all and all; hence the wealthy ones intimidate the poor and snatch their property from them. Recommendations are made on how to address problems emanating from inheritance to avert the conflicts and make for peaceful coexistence.

Introduction

Igbo people are principally located in the South-Eastern part of Nigeria of West Africa. Their language is Igbo. The Igbo people occupy what is politically known as the southeastern part of Nigeria. The Igbo language is spoken in the core Igbo states - Abia, Anambra, Ebonyi, Enugu and Imo - as well as in some parts of Bayelsa, Delta and Rivers states all in the southern region of Nigeria. Onwuejeogu (1978) states that the principal Igbo settlement include Agboo, Kwale, Obiaruku and Ebu for Western Igbo, Ahoada, Diobu, Umuagbanyi for Port Harcourt area, Arochukwu, Afikpo, Ndinoafu, Isiogo for Abakiliki area, while Enugu Ezike and Nzam are for Nsukka area. In the culture centre area are Awka, Nri, Onitsha, Ihiala and Owerri. Onwuejeogu goes on to say that people here have the same culture traits, complexes and patterns. The main aspect of culture under discussion is inheritance or disposition of property at death.

Concept: Inheritance

Wikipedia describes inheritance as the practice of passing on property, titles, debts rights and obligations upon the death of an individual. Property inheritance in Igbo, *iri ekpe*, has been reviewed by Ezechukwu (2012, p.59) as,

Iri ekpe bu usoro mmadu si ewere ihe onye nwuru
anwu o buru nke ya. E nwekwara ike isi na o bu
otu ndi di ndu si ekere ihe onye nwuru anwu dika
o kere n'ekpe tupu o nwuo.

Ezechukwu here opines that inheritance is the system of acquiring the property of the dead as his own. It could also be the way people share the property of the dead as contained in his will before his death. Eme, Nkamigbo and Okeke (2012) aligns with Ezechukwu's notion to claim that property inheritance is done

after the demise of a relative. Their view however differs from that of Ezechukwu when they assert that nowadays, male and female properties are inherited unlike in the old traditional Igbo society where only the males had properties to be inherited. This shows that the Igbos before they die share their property among their children, wives and other relations. At death a man's relations inherit his property based on his instructions. Ekwealo (2010:179) confirms that inheritance is sharing the property of a dead person based on his directives while alive. He goes on to say that in Igbo land the major items of inheritance include:

- i. Land, houses and commercial trees (immovable properties);
- ii. Wives, slaves, cars, domestic animals (moveable properties).
- iii. Liabilities – debts owed by the person.

In recent development plots of land, companies, industries and other investments at the cities are also among the items of inheritance.

Inheritance Procedure

From historical point of view, Wikipedia states:

Detailed anthropological and sociological studies have been made about customs of matrilineal inheritance where only male children can inherit. Some cultures also employ matrilineal succession, where property can pass along the female line, most commonly going on to sister's sons of the descendant.

Both systems of inheritance are practised by various Igbo communities.

There are laid down principles of inheritance in Igbo land. There are certain things, which particular members of the family inherit from their fathers.

Ekwealo (1998) and Ezechukwu (2012) agreed that at the death of a man, his first son (diokpara) inherits the compound (Obi) and everything therein. He takes care of the wives and other siblings. He can even marry the wife of his father and raise children. The youngest son inherits the land owned by the mother. Basden (1966) affirms this by saying,

Personal property descends to the eldest son as heir, or failing a son, to the eldest brother or male relative. The heir takes over all the properties, including wives. He may keep them all, usually, he disposes of some to other men for the sake of the dowry money.

Basden however pointed out that if the women are old, they remain quietly as members of the compound under the new owner. The female members of the family share their mother's properties at her death.

In most part of Igbo land like Nnewi, Ihiala, Aguata, Awka and Nri, inheritance is patrilineal. At the death of the father, all the male sons will share the land of the man. In a monogamous family, the sons take the shared land according to seniority. In some polygamous families, it is shared according to the number of wives of the man. The first son of every woman will inherit a portion of land and other items and then

share with his brother or brothers. In some other communities in Igbo land such as Amesi, in Aguata L.G.A the story is different. The land of the man is shared among all the sons, starting from the eldest to the youngest irrespective of their mothers. It is a general belief that a man will die before the son. However, if the reverse is the case, when the first son dies before the father, he loses (forfeits) the “Obi” i.e. the father’s compound, even if he has a son. This is known as “inwufu obi” The second son becomes “diokpara” and so the rightful heir to “Obi”. This was the practice in Amesi until 1995 when A.I.U. (Amesi Improvement Union) made a resolution canceling it. A new resolution was passed that in the case of a son dying before his father, his son becomes the heir to the compound. If he has no male child, the wife and daughters will retain the land as long as they live. Their reason for the changes being that it was discovered that some bad people eliminate others in order to inherit the “Obi”. When the first son (diokpara) becomes the head of the family, if any of the brothers dies without an issue, he inherits his land and property, though his responsibility is to give him a befitting burial.

Matrilineal inheritance

Inheritance through the mother’s side is practised in some areas among the Igbos. Ohafia, Afikpo and other towns within the environ practise dual inheritance, while the first son (diokpara) inherits the compound (Ezi) which is known as “Obi” in other parts of Igbo land, the remaining land and property are inherited by the maternal lineage. Ekwealo (2010) affirms that apart from “ala ezi” which is inherited by the “diokpara,” all the other parcels of land are shared by the children or daughters of the family. The same thing happens to farmland and personal land bought by the man.

On the other hand, if the man dies without building a house on the land, the sisters take the possession of it. However, moveable property owned outside the town, is usually controversial which is settled in court.

Making a will

Apart from the laid down principles of inheritance, individuals have the right to say who takes what of their property at death. This shows that before the intervention of the Europeans, making of will had been in existence among the Igbos. The man usually calls his sons together and shares his properties among them. The sons would only claim their portion when the man dies. The man could call his relations (Umunna) while sharing the land if he felt there may be trouble. In event of trouble those present when the man shared his property would rally round and testify who inherits what. Oral testimony is valid since there was no written evidence that time. The matter could be referred to customary court for final verdict if the “Umunna” could not settle it. The will made by the man may engender serious problems and the “Umunna” may decide to reshare the property for his children. This confirms the Igbo adage, “*Onye nwuru anwu kechaa ekpe ndi di ndu ekeghasia ya.*” This gives room for people to alter the will of a dead person, especially when the man used it to victimize a member of the family.

The oral system of making a will was used in the past and it is still being used by illiterate parents today. In recent times most educated people make their will through a legal practitioner and register them in court. This makes the will very authentic and must be upheld and respected.

Social Implications of Inheritance

The inheritance of Igbo people has good and bad effects. These include:

Social Benefits

Inheritance helps in maintenance of peace and order. Ade (1974) states that human societies strive towards stability and social order. In Igbo society, the family has always been the most fundamental

social institution, which must be sustained. The culture of inheritance has consciously devised method of sustaining their social institution. The Igbo system of inheritance has helped to achieve required peaceful co-existence in the family and society at large. Inheritance procedure stipulates who inherits what. As land was always available for cultivation, land litigations were few among the Igbos of pre-colonial and post-colonial era. This does not mean that there were no land disputes and land laws. In case of any land disputes, the authority of the village (Umunna) over land was supreme and absolute; hence they always settle such problems.

Social Problem of Inheritance

Though Igbo system of inheritance helps to maintain social co-existence, any deviation or infringement from the accepted procedure causes serious problems, which may lead to quarrel, fighting and even death. There is a general belief that people are poisoned because of land dispute. Such disputes over land and property are usually settled by “Umunna”. In difficult cases, oath is administered for settlement, some greedy and wealthy members of the family may bribe the old men to give false information in order to deprive the poor of their right and possession. In recent times land disputes are settled in customary courts and civil courts when “Umunna” fails.

Economic Implication of Inheritance

Land is of paramount importance in Igbo land because agriculture is one of the primary occupations of the Igbo. So, land means a secured place to live and produce food and wealth. Ade (1974) says that the importance attached to land is so great that it was generally not marketable for profit and generally commonly used. He goes on to say that in economic necessity the land could be pledged with the proviso of redeeming it later. Edet (1974) affirms that the same applies to Ibibio. He says that the villagers have overriding power over communally owned land, e.g. sacred and farmland, and individually owned land like residential area. He goes on to say that no man was permitted to sell his or his father’s plot of land which he inherited, but he could pledge it, to be redeemed later. This attitude helped to keep kin groups together. It also acts as a check to reckless individuals who may want to get rich quick through land and property vendor. This means that the easiest way to own a landed property is through inheritance, which is express right of every male child. To deny a man land of inheritance is social injustice, in the same way a man who sells his land of inheritance is regarded as the greatest hooligan or fool. Inheritance of land, commercial trees and other properties enriches a man and changes his social and economic status.

Civilization has influenced greatly inheritance procedure in Igbo land, especially as regards property owned by the man outside his country home. Inheritance of such properties as plots of land, buildings and industrial companies has generated great conflicts in many homes. Failure of the man to write his will before his death, makes his sons struggle over his property, which often ends up in families going to court over property dispute. In Igbo traditional system of inheritance, the first son takes control of the father’s property when he dies; but in contemporary Igbo society, Nigerian Constitutional Marriage Act makes the wife the heir to the husband’s property. This applies only when the marriage is contracted under Marriage Ordinance Act.

Findings

1. It is discovered that in the past selling of land was very difficult and impossible because land was under absolute control of the *Umunna* and quarrel over land was very minimal, but today, people sell land at will without even informing anybody, and land dispute has increased greatly.

2. People no longer depend on agriculture as the sole means of livelihood, some resort to selling of land to generate capital for business.
3. It is observed that people were aware of making will, from pre-colonial era till date. Failure to make will while alive, makes children struggle over properties left by parents.
4. Some greedy and wicked people may use their wealth to deprive the poor of their land and property. They bribe unscrupulous and evil-minded elders to give false information about the land.

Recommendations

Government at all sectors should sensitize the public on the importance of making a will. A “will” could be made by anybody at any age, not necessarily when one gets old.

People should be advised to engage the services of legal officers in order to have it registered. This will go a long way to stop land and property dispute and obnoxious activities of some greedy and evil-minded people.

Conclusion

The paper examined the inheritance procedure in Igbo land in both traditional and contemporary Igbo societies. It highlighted not only the benefits of inheritance but also some problems emanating from it. Some recommendations were made.

In conclusion, it is observed that inheritance plays an important role in human society. It beefs up people’s social and economic status. Problems and conflicts emanating from inheritance in families, villages, and towns are addressed and this makes for peaceful co-existence.

References

- Ade, A.M. (1974). Social values heritage of the Igbo. *Ikenga, Journal of African Studies*. Vol. 11 No. 1. Nsukka: University Press.
- Amesi Improvement Union. (1995) Resolution on property inheritance. Minutes of meeting.
- Basden, G.T. (1966). *Niger Ibos*. London: Thomas Nelson.
- Edet, S. Udo (1974). Ibibio pre-colonial system of land tenure. *Ikenga, Journal of African Studies*. Vol. 11 No. 1. Nsukka: University Press.
- Ekwealo, C.C. (2010) *Omenala na Ewumewu Igbo*. Onitsha: Africana First Publishers Plc.
- Eme, Cecilia A., Linda C. Nkamigbo & Chuma O. Okeke. 2012. *Igbo ezuo*. Nkpor: Brystevand Publishers.
- Ezechukwu, T.U. (2012). *Ndu ndi Igbo. Omenala na ewumewu*. Onitsha: Perfect Image.
- Constitution Marriage Act. Form E. 04011. Nigeria
- Wikipedia Encyclopedia, Retrieved from Wikipedia.org/wiki/inheritance.

Teerry U. Ezechukwu
Department of Igbo Language
Anambra State University
Igbariam Campus, Nigeria